

**FACT SHEET
DRAFT HAZARDOUS WASTE FACILITY LICENSE
GENERAL ELECTRIC COMPANY
JUNE 2017**

This Fact Sheet summarizes the content of the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (MassDEP or Department) for General Electric Company (the Facility) pursuant to M.G.L. c. 21C and 310 CMR 30.000. This Fact Sheet was prepared in accordance with the provisions of 310 CMR 30.832, "Draft Facility License".

I. Purpose of the Licensing Process

The purpose of the licensing process is to afford MassDEP, the U.S. Environmental Protection Agency (EPA), local government and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000.

Facilities that treat, store and/or dispose of hazardous waste must be designed and safely operated to protect the people of Massachusetts from the dangers of improperly handled hazardous waste. Stringent licensing requirements are intended to ensure that those who accept hazardous waste are qualified to do so. Before issuance of any hazardous waste facility license, pursuant to c. 21C and 310 CMR 30.000, the MassDEP is required to prepare a Draft License. The Draft License sets forth in one document all the applicable requirements that a licensee is required to comply with during the 5-year duration of the license.

II. Procedures for Reaching a Final Decision

Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that MassDEP provide a public notice of the Draft License and allow at least a 45 day public comment period. The public comment period for this Draft License will begin with publication of the public notice in the Berkshire Eagle on May 30, 2017 and will end on July 13, 2017, at 5 p.m. Any person interested in commenting on the Draft License must do so within this comment period. Submit comments in writing to:

James Paterson
Department of Environmental Protection
Bureau of Air and Waste
1 Winter Street, 7th Floor
Boston, MA 02108

MassDEP will schedule an informal public hearing on the proposed Draft License if, during the comment period or within 15 days of the close of the comment period, MassDEP receives written notice requesting an informal public hearing or if it determines on its own that there is significant public interest in the Draft License. Written and oral comments will be accepted at the hearing.

In making a final decision, MassDEP will consider all written comments received during the comment period, all verbal comments received at a public hearing, if held, and the

requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR.30.000. MassDEP will then make a final determination to issue or deny a hazardous waste facility license to the Facility.

MassDEP will give notice of its final license decision to the Facility and each person who has submitted written comments or has requested notice of the final license decision. A final license decision becomes effective 21 days after the date of the notice of the decision. The final license decision will be postponed if a request for an adjudicatory hearing before MassDEP is made within the 21 day period.

III. Licensing History, Facility Description and Facility Operations

A. Licensing History

The Facility was issued its previous hazardous waste facility license #28/2011 by MassDEP on September 6, 2011. The Facility is presently operating under that license and subsequent MassDEP authorized modifications to that license.

B. General Description

The Facility is an existing Massachusetts licensed hazardous waste storage facility, authorized to manage and store in containers a range of specific hazardous wastes in designated hazardous waste storage areas. Hazardous wastes authorized for management at the Facility are identified in Section D below. The maximum hazardous waste storage capacity is 82,500 gallons (or the equivalent of 1,500 55-gallon containers). The Facility is not authorized to treat, reclaim, or dispose of hazardous waste.

The General Electric Company (GE) Facility, for the purposes of this Fact Sheet, consists of one building referred to as Container Storage Facility S-78 (or Building 78) at GE's Pittsfield Plant, which is used to store hazardous wastes for periods in excess of 90 days. The waste stored at S-78 facility includes waste generated from response actions under the Consent Decree executed on October 27, 2000, facility maintenance operations, research and development, and waste generated at locations at or near Pittsfield, MA that are subject to remediation by GE (through Pittsfield operations) pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000), the National Contingency Plan (40 CFR Part 300), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and/or the corrective action provisions of the Resource Conservation and Recovery Act (RCRA) under the oversight of MassDEP and/or the US EPA.

C. Detailed Facility Description

A listing of the hazardous wastes that are authorized for receipt and storage is provided in Section D below. Types of wastes include PCB contaminated solids and liquids, halogenated and non-halogenated solvents, acids and caustics, wastes from several water treatment facilities, spent chemicals from facility operations, wastes from routine facility maintenance, and wastes generated from research and development. Contaminated soils (other than PCBs) are also stored at the Facility. Figure 1 of Appendix 16 shows the general location of the GE Pittsfield Plant. Figure 2 of Appendix 16 shows the specific location of the hazardous waste storage facility Building 78, within the GE Pittsfield Plant. The layout of the Facility Building 78 is shown on Figure 7 of Appendix 16. Containers are segregated according to contents to prevent an uncontrolled reaction of incompatible wastes. There are loading areas at the southern and eastern sides of the building for forklift

trucks to safely load and unload containers. The building is totally enclosed and therefore, receives no precipitation or runoff. The total hazardous waste storage capacity of the container storage area of Building 78 is the equivalent volume of 1,500 55-gallon drums or 82,500 gallons, and Building 78 has a secondary containment capacity of 30,144 gallons.

The entire GE Plant is surrounded by fencing with a minimum height of 8 feet. All entrances to the Plant are locked and controlled by coded or card key access.

The Facility is located at the intersection of New York Avenue and Tyler Avenue in Pittsfield, MA. The site is about 0.2 miles southeast of Route 8, approximately 1.3 miles east of Route 7, and approximately 13.4 miles to Route I-90. A mixture of commercial, industrial and residential properties exist along nearby streets.

D. Authorization to Receive and Store Hazardous Waste

Authorization for container storage is limited to the following hazardous waste codes:

<u>Waste Codes</u>	<u>Description</u>
MA01*	Waste Oil
MA02	PCBs>50ppm
D001	Ignitable Waste
D002	Corrosive Waste
D003	Reactive Waste
D004-D011**	Toxicity Characteristic Waste
D 0 1 6 * *	Toxicity Characteristic Waste
D 0 1 8 - D 0 1 9 **	Toxicity Characteristic Waste
D0021-D030**	Toxicity Characteristic Waste
D032-D043**	Toxicity Characteristic Waste
F001	Spent Solvents
F002, F004	Spent Solvents
F 0 0 3 , F 0 0 5	Spent Solvents and Paint Wastes
F039	Leachate***
U022	Acetone
U154	Methanol
MA95	Universal Waste

*Authorized storage includes waste oil that exhibits a hazardous waste characteristic (D001, D004-0008) provided that waste oil has not been mixed with any other hazardous waste, and provided it passes the rebuttable presumption test pursuant to 310 CMR 30.215(1)(b).

**These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.

***Includes leachate classified by more than one waste code under 310 CMR 30.131 through 30.136, or from a mixture of wastes classified under 310 CMR 30.120 through 30.125 and 30.131 through 30.136.

Any hazardous waste, other than those hazardous wastes identified by the hazardous waste codes specifically listed above, is prohibited from storage.

E. Authority to Store Non-Hazardous Waste

The Facility is authorized to store liquid and solid non-hazardous waste in containers. Detailed requirements for the management of non-hazardous waste are provided in the Specific Conditions of the Draft License.

F. Corrective Action Program

Provisions regarding Corrective Action are specified in the Specific Conditions of the Draft License.

IV. Summary of License Conditions

In order to operate a hazardous waste management facility in Massachusetts, a licensee must comply with the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000, and all other applicable State and Federal statutes and regulations. These requirements are clearly stated in the terms and conditions of the Draft License, and failure to comply with them may result in suspension or revocation of the license or other enforcement actions by the Department and/or the Office of the Attorney General.

The licensee must properly operate and maintain the Facility to prevent any actual or potential threat to the public health, safety, welfare and the environment. In addition, the licensee shall act to prevent all actual and potential adverse impacts to persons and the environment resulting from non-compliance and will be responsible for paying for damages caused by such non-compliance.

The licensee must provide records of activities to the Department, allow inspections, and inform the Department of any changes in activities or to the facility. In all cases, it is the obligation of the licensee to meet the burden of proof to persuade the Department that the applicant is competent with respect to hazardous waste activities. All documents submitted to the Department must be certified under penalty of law. In the event of an emergency involving hazardous waste that could threaten public health, safety, welfare and the environment, the hazardous waste emergency coordinator will invoke the Facility contingency plan, which includes notification to the Department's Western Regional Office in Springfield.

V. Location of Available Information

A copy of the Draft License will be available at:

MassDEP
Bureau of Air and Waste
One Winter Street, 7th Floor
Boston, MA 02108
Contact: James Paterson
(617) 556-1096

MassDEP
Western Regional Office
406 Dwight Street
Springfield, MA 01887
Contact: John Downes
(413) 755-2231

US Environmental Protection Agency
5 Post Office Square, #100
Boston, MA 02109
Contact: Sharon Leitch
(617) 918-1647

Pittsfield Health Dept.
70 Allen Street
Pittsfield, MA 01201
Contact: Gina Armstrong
(413) 499-9411

Pittsfield Public Library
One Wendell Avenue
Pittsfield, MA 01201
(413) 499-9480

The Fact Sheet is also available at:

<http://www.mass.gov/dep/recycle/hazardous/treatment.htm>

VII. Appeal Procedures

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11 any person aggrieved by a determination by the Department to issue or deny a license, and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an "aggrieved person" shall be deemed to be any person who is or may become a "party" or "intervener" pursuant to 310 CMR 1.00.

A person aggrieved by a final decision in any adjudicatory proceeding may obtain judicial review thereof pursuant to the provisions of M.G.L. c. 30A. This license is an action by the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within 21 days of the Notice of Final License Decision.

CONTENTS OF HEARING REQUEST

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

FILING FEE AND ADDRESS

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of \$100 must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA. 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

EXCEPTIONS

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

WAIVER

The Department may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.